

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 10/18/06 - KW
Bulk Item: Yes ☐ No ☒

Division: Growth Management Division
Staff Contact Person: Reggie Paros/Jerry D. Sanders

AGENDA ITEM WORDING:

Approval and Adoption of Amendment to 2010 Comprehensive Plan Policy 101.4.24 modifying height limitations for structures constituting affordable, employee and workforce housing units for four (4) identified parcels or groupings of parcels in the mixed used/commercial and residential high future land use categories, using the expedited adoption proceeding provided in the *Community Workforce Housing Innovation Pilot Program ("CWHIP")*.

(Only One Hearing Required)

ITEM BACKGROUND:

The Florida Legislature recently enacted Session Law 2006-069, Section 27 of which was the *Community Workforce Housing Innovation Pilot Program ("CWHIP")*, now codified as F.S. §420.5095.

CWHIP will potentially make up to \$5,000,000 dollars available for innovative workforce housing public-private partnerships available to one or more projects in Monroe County should required comprehensive plan amendments, land acquisition and other measures be taken in time to qualify for the program. F.S. 420.5095 authorizes an expedited process for these amendments requiring only one hearing - the adoption hearing.

The proposed Comprehensive Plan Amendment will modify height limitations for structures constituting affordable, employee and workforce housing units for four (4) identified parcels or groupings of parcels in the mixed used/commercial and residential high future land use categories.

PREVIOUS RELEVANT BOCC ACTION:

Approval of forwarding Notice of Intention to Adopt an Amendment to the 2010 Comprehensive Plan and advertising same to modify height limitations for affordable housing by BOCC on 9/13/06.

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: _____

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☒ No ☐

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty _____ OMB/Purchasing _____ Risk Management _____

DOCUMENTATION: Included ☐ Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

ORDINANCE NO. _____ -2006

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE YEAR 2010 COMPREHENSIVE PLAN **ADOPTING** REVISIONS MODIFYING POLICY 101.4.24 HEIGHT LIMITATIONS FOR STRUCTURES CONSTITUTING AFFORDABLE, EMPLOYEE AND WORKFORCE HOUSING UNITS FOR FOUR (4) IDENTIFIED PARCEL GROUPINGS IN THE MIXED USE/COMMERCIAL AND RESIDENTIAL HIGH FUTURE LAND USE CATEGORIES, AND DIRECTING THE DIRECTOR OF PLANNING AND ENVIRONMENTAL RESOURCES TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Policy 601.1.3 directs the County to have its Planning Department work “to increase local utilization of state and federal funding programs”; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Policy 601.1.4 directs the County to “[e]xpand the County's participation in Federal and State housing assistance programs to rehabilitate owner and rental housing for low and moderate income residents by seeking grants, loans, and technical assistance”; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Policy 601.1.10 directs the County to “strive to participate in the State Housing Incentives Partnership Program as specified in the 1992 William Sadowski Affordable Housing Act, ...adopt a Local Housing Assistance Ordinance which establishes a local housing partnership; a local housing trust fund; administrative responsibilities; and a Local Housing Advisory Committee... [and to T]hereafter...write and implement a Local Housing Assistance Plan and a Local Housing Incentives Plan as specified in the Act.”; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Policy 601.1.12 directs the County to “adopt Land Development Regulations which may include density bonuses, impact fee waiver programs, and other possible regulations to encourage affordable housing”; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 601.2 directs the County to “adopt programs and policies to encourage housing of various types, sizes and price ranges to meet the demands of current and future residents”; and

WHEREAS, the Monroe County Year 2010 Comprehensive Plan Objective 601.6 directs the County to "formulate housing implementation programs corresponding to each of the specific objectives defined within this element, including:

...

- 2 incentive programs, to be implemented in conjunction with the Permit Allocation System, to promote the development of affordable and elderly housing”; and ...

WHEREAS, in 2006 the Florida Legislature enacted Section 420.5095, F.S. which implemented the Community Workforce Housing Innovation Pilot Program (“CWHIP”); and

WHEREAS, CWHIP will potentially make up to \$5,000,000 dollars available for innovative workforce housing public-private partnerships available to one or more projects in Monroe County should required comprehensive plan amendments, land acquisition and other measures be taken in time to qualify for the program; and

WHEREAS, CWHIP provides that funding priority will be given to counties where regulatory incentives are timely adopted including “adopting land development regulations designed to allow flexibility in densities” and financial strategies including “local contributions” such as “providing land”: and

WHEREAS, Florida Housing Finance Corporation (“Florida Housing”), the agency responsible for administering CWHIP, has recently recognized Monroe County as the highest cost burdened county for housing affordability and CWHIP is designed to allocate funds with priority to “high cost” and “high growth” counties; and

WHEREAS, CWHIP gives special recognition to permissible median income levels to be served with CWHIP funding awards in any county which has been designated as an Area of Critical State Concern for more than 20 years, of which Monroe County is a qualifying jurisdiction; and

WHEREAS, CWHIP will potentially make its funding available for innovative workforce housing public-private partnerships available to one or more projects in Monroe County should required comprehensive plan amendments, land acquisition and other measures be taken in time to qualify for the program; and

WHEREAS, pursuant to CWHIP Monroe County and its municipalities have defined “Essential Services Personnel” in the Local SHIP Local Housing Assistance Plan (“LHAP”), by promptly amending its LHAP on September 20, 2006; and

WHEREAS, Monroe County intend wherever possible to make application for funding under CWHIP and other funding sources; and

WHEREAS, Monroe County intends to use density bonuses, limited parcel-specific height incentives and other innovative land use mechanisms to maximize the potential affordable, workforce and employee housing opportunities in land use districts near employment centers and public transportation facilities and the County has determined those districts to primarily be the Suburban Commercial, Mixed Use and Urban Residential land use districts, which districts already allow multi-family housing and are most suitable for density bonuses, limited height limitation relaxation and other mechanisms to maximize economical housing potential; and

WHEREAS, the Board of County Commissioners makes the following findings of fact:

1. A lack of sufficient affordable housing opportunities for the local workforce creates serious risks to the local economy.
2. There is limited land area suitable for residential development remaining in the County.
3. There is a current estimated unmet need of as many as 7,317 affordable units in the County.
4. Further delineation and relaxation of height limitations will clearly comport and further CWHIP's encouragement of "flexibility in densities" and will likely lead to the creation of more affordable housing under the Code, and construction data, analysis and renderings from qualified developers of affordable housing has been provided supporting this amendment.
5. Certain amendments to Policy 101.4.24 will permit an additional habitable floor above parking (3 floors maximum) and thereby make certain parcels more economical locations for affordable housing conditions.
6. The County has acquired up to four (4) parcel groupings where limited height relief might increase the prospect of funding as a CWHIP project or even other state or federal housing assistance programs and the County is willing to contribute the land to such a project with an identified private partner as required under CWHIP.
7. The Carlisle Group has successfully completed projects with Florida Housing, has the expertise to put together a competitive RFP response, and has indicated a willingness to partner with the County if the County moves promptly to make regulatory changes relating to height and density and other matters to help make workforce housing projects feasible under CWHIP and other programs.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Section 1. The following language is adopted as an amendment to the Monroe County Year 2010 Comprehensive Plan to replace the current Policy 101.4.24, with the corresponding table included in the policy to remain unchanged by this amendment:

Policy 101.4.24

Except as otherwise provided herein, in order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures and for the following structures serving affordable housing needs:

1. Buildings constructed on parcels specifically designated for state or federal project funding under programs including but not limited to those made possible by Florida Statutes Section 420.5095, where the potentially affected parcels are designated in writing to the Department of Community Affairs, and where the contemplated project is made up entirely of residential units that meet affordable, employee and/or workforce housing guidelines set forth in the land development regulations, up to a maximum with no more than three (3) habitable floors over parking with a maximum average roof height of thirty-eight (38) feet where no portions of the roof exceed forty-four (44) feet. Portions of roofs exceeding thirty-eight (38) feet in height shall require Planning Commission approval in the standard development review process. The Planning Commission may make recommendations (i) to deny or approve height elements exceeding thirty-eight (38) feet, and/or (ii) to attach conditions based on: architectural character within three hundred (300) feet, roof pitch, and color, setback requirements, excessive blocking of scenic views, incompatibility with height of surrounding vegetation, and distance from open water. Otherwise customary exceptions will still be allowed for appurtenances to buildings, transmission towers and other similar structures. An applicant for a project proposed under this provision may appeal a Planning Commission denial of a requested height component or attaching of a condition directly to the Board of County Commissioners, which may affirm, reverse, or modify the contested issue within the limitations of this provision.
2. The applicability of subparagraph 1 is limited to only the following parcels:
 - a. Big Coppitt Key – U.S. 1 frontage between Sapphire and Emerald Streets – appr. .85 acres – RE No. 00156320-000000 – Zoning SC
 - b. Key Largo Mandalay Subdivision – 1st Avenue between E First and Second Streets – appr. .7 acres – RE Nos. 00554720-000000 and 00554720-0001000 – Zoning UR
 - c. Cudjoe Key – US 1 and La Fitte Drive frontage – appr. 1.15 acres – RE Nos. 00178350-000000, 00178360-000000, 00178370-000000, 00178380-000000 – Zoning SC

- d. Key Largo – US 1/State Service Road and Burton Drive –
appr. 2.72 acres – RE No. 00488730-000000 – Zoning SC

Section 2. If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such validity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. This ordinance shall be transmitted to the Department of Community Affairs pursuant to law.

Section 5. This ordinance shall be filed in the Office of the Secretary of the State of Florida and shall become effective in accordance with Section 420.5095, Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the 18th day of October, A.D., 2006.

Mayor Charles “Sonny” McCoy
Mayor Pro Tem Dixie Spehar
Commissioner George Neugent
Commissioner Mario Di Gennaro
Commissioner Glenn Patton

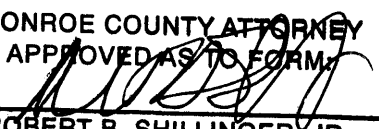
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Charles “Sonny” McCoy

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

ROBERT B. SHILLINGER, JR.
CHIEF ASSISTANT COUNTY ATTORNEY
Date: 10-12-06

Jerry Coleman, Esq.
Email: jerrycolemanpl@bellsouth.net
Tel: 305-292-3095

JERRY COLEMAN, P.L.
201 Front Street, Suite 203
Key West, Florida 33040
(Admitted Florida and New York)

Truman Annex
Building 21 Second Floor
Fax: 305-296-6200

MEMORANDUM (CONSULTANT REPORT)

TO: Monroe County Board of County Commissioners

FROM: Jerry Coleman

DATE: October 6, 2006

MEETING DATE: October 18, 2006

**RE: REVISIONS TO MONROE COUNTY COMPREHENSIVE PLAN
POLICY 101.4.24 MODIFYING HEIGHT LIMITATIONS FOR
STRUCTURES CONSTITUTING AFFORDABLE, EMPLOYEE
AND WORKFORCE HOUSING UNITS FOR FOUR (4)
IDENTIFIED PARCEL GROUPINGS IN THE MIXED
USE/COMMERCIAL AND RESIDENTIAL HIGH FUTURE LAND
USE CATEGORIES**

I. BACKGROUND

This proposed Comprehensive Plan amendment ordinance is proposed for four (4) designated parcel groupings owned by Monroe County or the Land Authority pursuant to the expedited procedure allowed under Section 420.5095, F.S. (the Community Workforce Housing Innovation Pilot Program ("CWHIP")). The County contemplates leasing these parcels to the Carlisle Group under the present 99-year lease program and partnering with Carlisle to pursue CWHIP project funding for workforce housing development on one or more of these parcels. By written Section 420.5095, F.S. notices, dated September 13, 2006, submitted to the Department of Community Affairs, the County advised of a planned October 18, 2006 adoption hearing of three (3) draft comprehensive plan amendments for contemplated CWHIP projects (dealing with density bonuses, height incentives and fractional ROGO allocations for smaller units, respectively). The author of this report advised the BOCC on September 13 in Key Largo that per the BOCC's direction staff would work with the Department and would not present any proposed amendments for adoption on October 18 if the Department had registered objections to their final form. After discussions with the Department, staff has decided to withdraw the proposed CWHIP fractional ROGO amendment at this time. The Department maintains that any CWHIP comp plan amendment must be limited to specified potential CWHIP project parcels (of which the County itself owns four (4) single or contiguous groupings of such identified parcels). Therefore, the proposed new height language will not operate anywhere in the County other than at the specifically identified parcels set forth in the amendment.

II. SUMMARY

Our existing land development regulation code, currently provides the following height guidance (provision adopted in 1986):

Sec. 9.5-283. Maximum height.

No structure or building shall be developed that exceeds a maximum height of thirty-five (35) feet. Notwithstanding the provisions of this section, any hotel or affordable housing unit may be development to a height of three (3) stories over parking or a maximum of forty-four (44) feet, whichever is lower, measured from grade level, if constructed to meet wind load resistances of one hundred fifty (150) miles per hour and a binding commitment is signed that such facilities will be used as official hurricane shelters in accordance with specifications of the Monroe County Department of Civil Defense. Affordable housing structures exceeding thirty-five (35) feet in height must be allocated proportionately to low-and moderate-income households according to identified demand.

However, our current 2010 Comprehensive Plan policy relating to building height, adopted after 1986 with the entire new Comprehensive Plan, reads as follows:

Policy 101.4.24

In order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures.

Obviously, these two provisions are in clear conflict, and have led to some confusion. It is the author of this report's opinion that the latter more restrictive provision does not permit limited and controlled exceptions for desperately needed affordable, employee and workforce housing construction. It is a fact that many commercial, residential and public buildings in the Keys today exceed by far even the 44 feet limitation of 1986.

The proposed revised Comprehensive Plan Amendment to Policy 101.4.24 for only the four potential CWHIP funding parcel groupings would be as follows (changes underlined):

Policy 101.4.24

Except as otherwise provided herein, in order to preserve the existing community character and natural environment, Monroe County shall limit the height of structures including landfills to 35 feet. Exceptions will be allowed for appurtenances to buildings, transmission towers and other similar structures and for the following structures serving affordable housing needs:

1. Buildings constructed on parcels specifically designated for state or federal project funding under programs including but not limited to those made possible by Florida Statutes Section 420.5095, where the potentially affected parcels are designated in writing to the Department of Community Affairs, and where the contemplated project is made up entirely of residential units that meet affordable, employee and/or workforce housing guidelines set forth in the land development regulations, up to a maximum with no more than three (3) habitable floors over parking with a maximum average roof height of thirty-eight (38) feet where no portions of the roof exceed forty-four (44) feet. Portions of roofs exceeding thirty-eight (38) feet in height shall require Planning Commission approval in the standard development review process. The Planning Commission may make recommendations (i) to deny or approve height elements exceeding thirty-eight (38) feet, and/or (ii) to attach conditions based on: architectural character within three hundred (300) feet, roof pitch and color, setback requirements, excessive blocking of scenic views, incompatibility with height of surrounding vegetation, and distance from open water. Otherwise customary exceptions will still be allowed for appurtenances to buildings, transmission towers and other similar structures. An applicant for a project proposed under this provision may appeal a Planning Commission denial of a requested height component or attaching of a condition directly to the Board of County Commissioners, which may affirm, reverse or modify the contested issue within the limitations of this provision.
2. Initial designation is made to the Department of Community affairs of the following parcels subject to subparagraph 1, though subsequent written notifications of otherwise qualifying parcels need not be made in the form of a plan amendment:
 - a. Big Coppitt Key – U.S. 1 frontage between Sapphire and Emerald Streets – appr. .85 acres – RE No. 00156320-000000 – Zoning SC
 - b. Key Largo Mandalay Subdivision – 1st Avenue between E First and Second Streets – appr. .7 acres – RE Nos. 00554720-000000 and 00554720-0001000 – Zoning UR
 - c. Cudjoe Key – US 1 and La Fitte Drive frontage – appr. 1.15 acres – RE Nos. 00178350-000000, 00178360-000000, 00178370-000000, 00178380-000000 – Zoning SC
 - d. Key Largo – US 1/State Service Road and Burton Drive – appr. 2.72 acres – RE No. 00488730-000000 – Zoning SC

III. FINDINGS OF FACT AND SUPPORTING DATA AND ANALYSIS PER RULE 9J-5, F.A.C.

1. Staff finds the proposed amendment to be consistent with the goals, objectives, and policies of the Monroe County Year 2010 Comprehensive Plan.
2. The BOCC notes and makes finding that numerous statutes encourage higher densities in appropriate areas, among them:
 - a. F.S. 163.3177 which encourages comp plan identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.
 - b. F.S. 163.3177: The Legislature finds that mixed-use, high-density development is appropriate for urban infill and redevelopment areas. Mixed-use projects accommodate a variety of uses, including residential and commercial, and usually at higher densities that promote pedestrian-friendly, sustainable communities. The Legislature recognizes that mixed-use, high-density development improves the quality of life for residents and businesses in urban areas. The Legislature finds that mixed-use, high-density redevelopment and infill benefits residents by creating a livable community with alternative modes of transportation. Furthermore, the Legislature finds that local zoning ordinances often discourage mixed-use, high-density development in areas that are appropriate for urban infill and redevelopment. The Legislature intends to discourage single-use zoning in urban areas which often leads to lower-density, land-intensive development outside an urban service area. Therefore, the Department of Community Affairs shall provide technical assistance to local governments in order to encourage mixed-use, high-density urban infill and redevelopment projects.
3. Policy 101.4.4 of the 2010 Comprehensive Plan provides that “the principal purpose of the Residential High category is to provide for high-density single-family, multi-family, and institutional residential development, including mobile homes and manufactured housing, located near employment centers.” The Urban Residential (UR) district affected by this comp plan change is in the Residential High land use category. All districts that have been zoned UR have thus been previously approved by the Department as consistent with high density use located near employment centers. No new parcels are here being proposed for more intense zoning than already exists. The UR district already allows under Sec. 9.5-233 “attached dwelling units” so no substantial change of character will occur in this regard. Recreational, marina and time-share uses are also permitted as well as pre-existing lawfully nonconforming uses. The Key Largo Mandalay Subdivision parcels are zoned UR and appropriate for application of height incentives for affordable housing purposes.

4. Policy 101.4.5 of the 2010 Comprehensive Plan provides that “the principal purpose of the Mixed Use/Commercial land use category is to provide for the establishment of commercial zoning districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted.” No new parcels are being proposed for more intense Mixed Use or Suburban Commercial zoning than already exists. The MU and SC districts already allow under Secs. 9.5-235 and 9.5-248 a tremendous variety of commercial uses which necessarily will offer employment opportunities in the districts near any potential workforce housing and require transportation options to service the already allowed commercial uses. Moreover these districts already allow “commercial apartments involving less than six (6) dwelling units”, “attached and unattached residential dwellings involving less than six (6) units, designated as employee housing”, “commercial apartments involving six (6) to eighteen (18) dwelling units”, “attached and unattached residential dwellings involving six (6) to eighteen (18) units, designated as employee housing”, and “attached and unattached residential dwellings involving more than eighteen (18) units, designated as employee housing”, so no substantial change of character will occur in this regard. Recreational, marina and time-share uses are also permitted as well as pre-existing lawfully nonconforming uses. The Big Coppitt, Cudjoe Key and Key Largo Burton Drive parcels are zoned SC and are appropriate for application of height incentives for affordable housing purposes.
5. Consultant staff finds the amendment consistent with F.A.C. Chapter 9J-5, Chapter 163 and 420 Florida Statutes, and The Principles for Guiding Development, Section 380.0552, Florida Statutes.

IV. PROPOSED TEXT CHANGE

Please see attached Ordinance.

V. RECOMMENDED ACTION

Based on the Findings of Fact, Workforce Housing Task Force counsel recommends **APPROVAL** of the proposed text change to Comprehensive Plan Policy 101.4.24 and the County Attorney’s office has reviewed the ordinance for legal sufficiency. The Department has advised that while adequate measures to assist in providing affordable and workforce housing are matters of state concern, the specific question of adjustment to height limitations in this context is a matter of local determination. The Department has not as of the time of this writing had an opportunity to comment on this report or the proposed amendment.



CARLISLE
DEVELOPMENT MANAGEMENT CONSTRUCTION

October 5, 2006

Monroe Board of County Commissioners
1100 Simonton Street
Key West, FL 33040

Re: Height of our Affordable Housing designs in the Keys.

Commissioners:

We know that building heights are a contentious issue in Monroe County, and we have been asked to explain the elements that dictate the height of our affordable housing designs in the Keys.

Let me begin by saying that without knowing the history of this issue, the current 35 foot limitation seems to make little sense. The practical effect is to limit all new development to buildings designed as two stories of occupied space over surface level parking. If that was the intent, the limitation could have as easily been 30 feet, or even 28. On the other hand, if the intent was to allow three stories over parking, the 35 foot limitation falls short. Therefore, the 35 foot limitation falls into an architectural "no man's land," which is either higher OR lower than it needs to be, and inefficient either way. A relatively minor change in the current height limitation would allow a 50% increase in the affordable housing which could be built on an available parcel of land.

Let me elaborate:

1) Ground Floor Parking- Since we the code requires the first usable floor of any building to be elevated above flood levels anyway, the most efficient and economical use of space requires raising the elevation of the first floor

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carlisledevelopmentgroup.com

of the buildings a few more feet so that people can park underneath. Given the code mandated height requirement for under building parking, and an allowance for sprinklers, etc, your first floor elevation is raised to approximately 9 feet. (See attached sketch).

2) Floor-to-ceiling heights - Minimum floor-to-ceiling heights are driven by the construction type:

a.) "Poured in place" construction - Meridian West Apartments, the 102 unit Affordable Housing development we recently built on Stock Island, was designed and built using the "poured in place" method of concrete construction. This is a system using movable forms which are filled with solid concrete for floors, slabs, and partitions. It's fast, economical in areas of labor shortage, and very durable over the long term.

Poured in place concrete floors require an 8 foot 6 inch floor-to-ceiling height in order to allow clearance for ventilation, fire sprinklers, etc., on the underside of the concrete slab, while maintaining the required minimum ceiling height within the units and corridors. Normally, poured in place concrete floors are 6 inches thick. This generates a height per floor of 9 feet. (See attached)

Therefore, a four story poured in place structure (i.e. three stories over parking) would be 9 feet x 4 stories = 36 feet. Thus, Meridian West, which fully leased in one morning, and has a waiting list of prospective tenants 3 times its 102 units, was ONE FOOT short of being allowed a third floor, ONE FOOT short of being 153 units instead of 102, and ONE FOOT for 51 of those families on our waiting list.

Our most current Affordable development, Seagrape Apartments in Marathon, on which we expect to break ground later this year, will be THREE stories over parking, because Marathon's height limitation is 37 feet. That two foot difference means we will be able to ultimately build more than 90 units on the site, which is half the size of the Meridian West site.

b.) Conventional Construction - Conventional roof and floor trusses can accommodate 8 foot floor to ceiling heights due to the fact that some ductwork, sprinklers, etc. can be tucked within the trusses. However, these truss

spaces need to be at least 18 inches deep. This equates to 9.5 feet per floor. In this example, three stories over parking produces 9.5' x 4 stories = 38' height. (See attached).

3) Roof lines - Note that the heights listed above do not allow for any kind of pitched roofs, mansards, parapets, etc to improve the aesthetics of the building.

The well known "Key West" architectural style includes a pitched roof, usually with a tin detailed mansard. That very special look, for which the Keys are famous, will add another 4'-6' of height to the structure. (See attached).

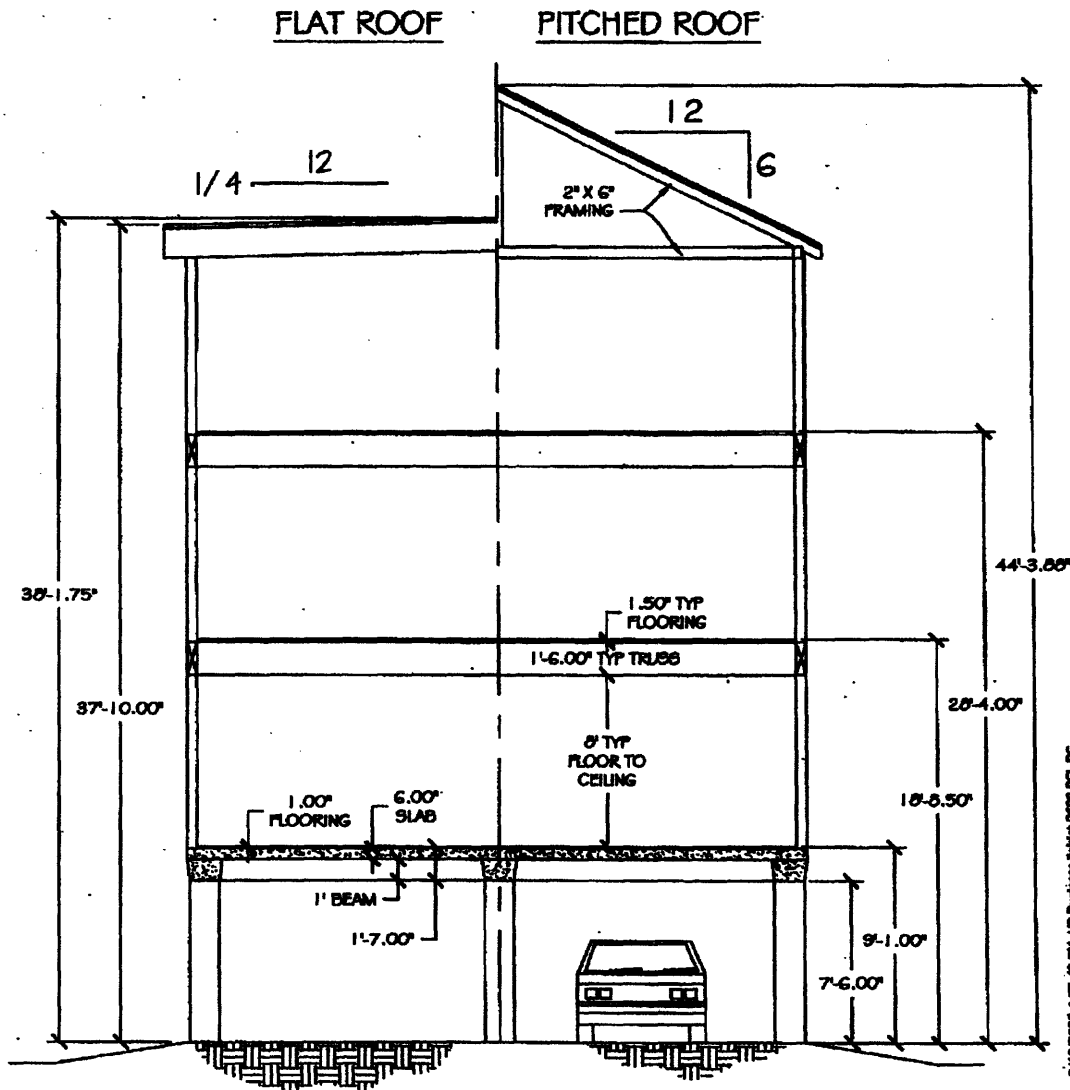
Therefore, a relatively minor modification in height standard produces a nearly 50% increase in the Affordable Housing to be built on an available parcel of land. In the area of the State which has the scarcest and most expensive developable land, combined with the most pressing need for Affordable Housing, it seems obvious to me that a change in the height limitation is essential.

I intend to attend your County Commission meeting on October 18 to discuss these issues and answer any related questions.

Sincerely,



Lloyd J. Baggio
President and CEO



AFFORDABLE HOUSING
BONUS HEIGHT
ADJUSTMENT

mbi | k2m

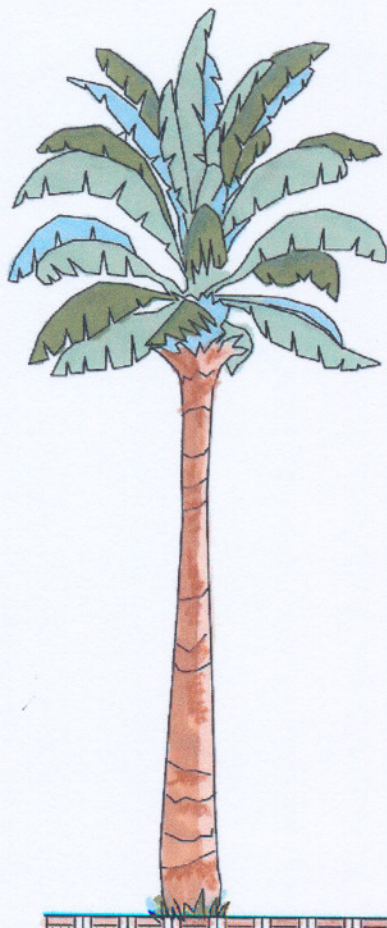
ARCHITECTURE, INC.

604 Whitehead Street
Key West, Florida 33040
Tel: 305-294-4011
Fax: 305-294-7412
Email: info@mbi-k2m.com
URL: www.mbi-k2m.com
PROF. REG. AA26001059

PROPOSED BLDG. HEIGHT

SCALE: 1/4" = 1'-0"

DATE: October 5, 2006



METAL ROOFING ON
WOOD FRAME.

4'-0"
MIN.

A/C
CONDENSER.

INSULATION.

6" CONC.
STRUCTURE.

36'-0"

METAL RAIL

DRY WALL
CEILING. HEIGHT
AT CORRIDOR/
BATH ±7'-2".

4" BASE.

7'-2"
8'-6"
1'-0"
7'-6"

